

LONG BEACH CITY COUNCIL MEETING

FEBRUARY 16, 2005

CALL TO ORDER

Mayor Ramsey called the meeting to order at 7:04 a.m. and asked for roll call.

ROLL CALL

Robert Strobe called roll with Mayor Ramsey, C. Cook, C. Luethe, C. Moore, C. Unruh and C. Zuern present.

PUBLIC HEARING

AB 05-02-1 Request to vacate a portion of 4th Street

Mayor Ramsey opened the public hearing. Robert Strobe gave a presentation on the agenda item. Gary Baker Enterprises has requested the City to vacate a portion of 4th Street. The City is the abutting property owner. The developer agreement outlines the proposed conditions for the vacation. The Council packet included a map of the layout of the project that would follow the vacation. Approving the agreement and the proposed vacation shall not bind or obligate the City to approve or support the approval of any development proposed by the Developer. The City Attorney reviewed the agreement and recommends adding a specific contact person and address within the agreement. If the Council approves the request to vacate the Right of Way, a legal description and appraisal must be obtained for inclusion in the Ordinance vacating the ROW. Robert Strobe read into the record letters from Deanna & David Newman and R. Steven Singer, M.D., both opposing the proposed vacation. Robert Strobe commented that neither property abuts the proposed vacation. Robert Strobe asked the city council to briefly identify any contacts made concerning the application and property. Mayor Ramsey stated he was approached by Mike O'Hara at city hall. Mike O'Hara asked about 4th St, nothing about the development, and how the city approached vacating property and the city's future plan for open space. Gary Baker presented notes on how the project came about. Mayor Ramsey asked for comments from the public and asked that comments be limited to 5 minutes. Leslie Brophy, Pacific Realty, stated that the two letters read into the record were from purchasers of the existing condos built by Gary Baker and that they were aware of his intent to build more condos. Leslie Brophy also commented on a positive response of future building and development of 4th St. from the owner of Arcadia Court. Mayor Ramsey asked for additional comments and being none closed the public hearing. C. Moore commented the project has been in the works for a long time and was aware that this proposed project may happen. He sympathizes with the neighbors for losing their view, and stated the city is working on open spaces, but doesn't feel the developer should be compromised. C. Unruh also commented that this proposed project has been going on for a long time. C. Cook stated that property at Deer Lake near Seattle was known for fireworks and boat races and when people purchased property there, tried

to stop the activities that had already been occurring there. C. Luethe stated that he has no problem with the proposed vacation. The staff recommendation is to Approve the developer agreement and authorize the Mayor to sign the agreement and to approve the request to vacate a portion of 4th Street as presented and direct the staff to prepare an Ordinance to vacate the Right of Way. **C. Unruh made the motion to approve the recommended action as presented, with C. Moore seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 05-20-1 Zoning Code Amendments

Mayor Ramsey opened the public hearing. Michael Davolio presented the amendments to the zoning ordinance. Michael Davolio read into the record a letter from Katherine O'Neill in regards to piano key zoning. Mayor Ramsey asked for comments. Susie Goldsmith, owner/operator of Boreas B&B, addressed the problem of B&B's having more restrictions than motels. David Haines, owner/operator of a B&B in Long Beach would also like to see fewer restrictions on B&B's. Mayor Ramsey asked for more comments, there were none. Michael Davolio asked the council for specific questions on the different sections of the zoning ordinance to either be addressed at present or at a later date. Robert Strobe stated that there will be a workshop with the Planning Commission on March 2, 2005 @ 6 p.m. to discuss any questions and concerns on the zoning ordinance amendment. Discussion ensued to identify a list of specific topics within the zoning ordinance to be presented at the workshop. **C. Unruh made the motion to continue the public hearing to the March 2, 2005 council meeting with C. Cook seconding the motion. 5 Ayes 0 Nays, motion passed.**

CONSENT AGENDA

Minutes of February 2, 2005

Payment Approval List for Warrant Registers for 2/9/2005 #50055-50119 for \$273,647.01

Payroll Report for Pay Period Ending Jan 31, 2005 338741-38786 for \$62,195.30

C. Cook made the motion to accept the consent agenda as presented with C. Moore seconding the motion. 5 Ayes 0 Nays, motion passed.

BUSINESS

AB 05-22 Mentoring Program Presentation

Larry Cook, representing Peninsula Learns, presented the mentoring program and its need in the local area. He is soliciting funding from the City of Long Beach. **C. Moore made the motion to fund a one time only \$2000 contribution based on the provision that Peninsula Learns is able to obtain the total match required, with the understanding that the next year Peninsula Learns raise money to fund the match for the program. C. Cook seconded the motion. 5 Ayes 0 Nays, motion passed**

AB 05-21 Ordinance 793 Revising Hearing Examiner Qualifications

The existing Ordinance on Hearing Examiner (656) requires the examiner be an attorney. A review of the RCW indicates there isn't a requirement that hearing examiners be attorneys. The revised Ordinance would not rule out using an attorney, but would allow for more flexibility in appointments as well as clarify that multiple hearing examiners could be appointed concurrently. **C. Cook made the motion to approve AB 05-21 Ordinance 793, with C. Luethe seconding the motion. 5 Ayes 0 Nays, motion passed.**

REPORTS AND CORRESPONDENCE

Business License Application: Computer Creations NW, 911 4th Ave., Seaside, OR.,
computer installation, training and security services
Business License Application: Rainbow Federal, Inc. 31208 NE 4th St., Carnation, WA,
roofing
Charter Communications programming changes letter
Lions Club Certificate of Appreciation for the 2004 Surf Perch Derby

PUBLIC COMMENT

Milt Wadler commented that he has spoken to other motel owners in regards to tenant/manager laws and the LBPD holding a seminar on tenant/manager relationship. An unidentified audience member asked about hospitality classes being held.

ADJOURN

C. Moore made the motion to adjourn at 9:47 p.m., with the second made by C. Cook. 5 Ayes 0 Nays, motion passed.

Mayor

ATTEST:

City Clerk